From the Author
45-10

MR. PEEL'S MEASURES

FOR

CATHOLIC EMANCIPATION

CONSIDERED;

IN A

LETTER

TO

LORD MILTON, M.P.

BY J. WOOD, ESQ.

"THE CONSTITUTION OF ENGLAND WILL ONLY PERISH, WHEN THE LEGISLATIVE BODY BECOMES MORE CORRUPT THAN THE EXECUTIVE."—MONTESQUIEU.

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MDCCCXXIX.

LETTER.

My Lord,

In the objections which I am about to urge upon your Lordship, as one of the popular Representatives of this County, to the measures proposed as necessary for the Emancipation of our Catholic Brethren, I trust I may not be confounded with the brawlers for "No Popery," or the still more senseless clamourers for "Our Protestant Constitution!" Whatever tax I may impose upon your time and patience, it will (as I have no interest to seek but what is common to all) have at least the merit of not arising from either selfishness or faction—though doubtless it is on unusual and very unfashionable—because on *popular* grounds that I solicit your serious attention.

At length, my Lord, the grand secret is out, and the panacea for the grievances, the wrongs, and the sufferings of Ireland fairly before the public. The liberals in Parliament, with Mr. Brougham at their head, are running wild with joy, and all but the lovers of Despotism (who ought to hold a jubilee on the occasion) are perfectly convinced that the Millenium has dawned upon Ireland. Let us, however, before we finally take leave of our senses, look a little more coolly into the real merits of the case. The motive of the Ministry in obtaining—as a prelude to their Emancipation Bills—an act for gagging all Ireland for a twelvemonth is now evident enough; no one can blame them for their *discretion* on this head—and equally clear, with the necessity of smothering every possible manifestation of public feeling in that Country, is the Policy of proceeding by two Bills instead of one, with the measures, which, by a strange

perversion of terms, profess to be for the EMANCIPATION of the Catholics!! With more cunning than candour the Administration calculates upon the decided support of the Whigs and Liberals upon the *first* point—that of doing away the Disabilities; and upon the willing aid of Lord Eldon and his party upon the *second*, which is to disfranchise the Forty Shilling Freeholders—whilst, had *the entire* measure been proposed in one Bill, the two extremes of Parliament might for totally different, yet sufficiently obvious reasons, have united to reject a plan, which *as a whole*, neither of them could approve; whereas the pretty little division they have adopted *must* insure them a superiority on *each*, and consequently secure the *whole*. In honest truth, there is talent, though not a very creditable one in the arrangement—and the Honorable Secretary should also have due praise for his considerate kindness to his old friend the retired Chancellor—as doubtless the success of his *second* Bill will come just in time to save that Noble Lord from dying broken-hearted of the *first*. Still, my Lord, in spite of all this care and circumspection, there are two somewhat important objections to the measure taken as *one whole*. The first is that *it will not attain the avowed object of tranquillizing and pacifying Ireland*—the other, that it is a flagrant infringement of both the letter and spirit of the Constitution.—The first act (which, *without its companion*, no one would hail with greater pleasure than myself) may be fairly styled "an act to enable Catholic Gentlemen to "represent Irish Counties and to fill certain other offices in "the state"—whilst the second should be headed "an "Act to *prevent their* being so elected by disfranchising "the very men who are alone likely to return them!!" That such will be the *actual result* of the proposed measures cannot fairly be denied; and such being the case, your Lordship will excuse me for not sharing in the pleasure you have expressed upon the occasion of such glorious and *truly Irish* Emancipation!

The new convert to Emancipation in the course of his speech alluded to the opinions of his friend Mr. Leslie Foster, and unquestionably the steps recommended in the latter part of it, with a feverish anticipation of the future, betrayed a decided recollection of that Right Honorable Gentleman's last Election for the County of Louth, and evinced a determined spirit of hostility to those, whom he represented as solely under the *spiritual* control of the Priesthood, but who in the estimation of every impartial man, can be considered only as having in a manner worthy of admiration and imitation, asserted their own freedom and vindicated their own rights by rejecting an enemy and electing a friend of their Country and their Religion. Doubtless to the result of *this* and of the County of Clare Election may be traced the altered opinions of Downing-Street. Doubtless to the new light that from *these* quarters broke in upon our rulers, and to the conviction that "twenty-three Counties in Ireland were prepared to follow "the example" of really choosing their Representatives, is to be attributed the declared impossibility of governing Ireland any longer in the old legitimate way! Yes! to this great cause, my Lord, must we trace the introduction of what is insidiously termed a measure of Emancipation—but the real and evident object of which is, under the appearance of a specious liberality, to punish these poor but (politically speaking) virtuous Freeholders for their Independence, and to transfer the elective franchise to a class of persons far inferior in number and consequently, as a whole, more accessible to the old system of tampering and undue influence. Here, my Lord, we have the whole secret of Ministerial conversions, and the question for the *People* and those few Members of the House who *really* are their Representatives to consider is, whether such a plan, *taken as a whole,* would be beneficial to the *People,* and whether it does not exceed the just limits of Parliamentary interference. No one can be more anxious than myself to see every description of my

fellow-citizens in full possession of equal rights; but no one deprecates more strongly the elevation of the few and the rich at the expence and spoliation of the many and the poor—and if the hundred is only to obtain justice by heaping injustice upon the million, I must ever enter my humble protest against so iniquitous a mode of administering relief. But, my Lord, *will* the proposed measures have the effect of tranquillizing and conciliating Ireland? Most assuredly not. They may, as is very probably anticipated, divide the now united Catholic body into two parties—and the Machiavellian maxim of "Divide et Impera" may for a while at least be a gain to the Minister of the day: but to suppose that an act of proscription, that plundering the innocent Forty Shilling Freeholders of the *only* privilege they possess will *conciliate them*; to imagine that the declared plan of robbing the priests of their share of political influence will *win them* to the cause of those who have so deprived them; to dream that the admission of a few Barristers within the bar, and allowing a few rich Catholics to pick up the crumbs that fall from the Treasury table, will have the effect of introducing peace and tranquillity and content into Ireland, is the very extreme of folly and absurdity!! Far different and far more important measures must be resorted to before this grand desideratum is attained. But will the Catholic Gentry themselves be satisfied with such an arrangement? A few dirty Jobbers will unquestionably laud the measure to the skies! but is it probable, that, as a body, they will feel grateful for an act, which, though it sounds full of good intentions, will in *reality exclude them* from a chance of success in the County Elections of their native land? Believe it not, my Lord—but trust me, if the Disfranchising Bill passes into a law, and if measures of a very different kind are not adopted, not one single battalion employed in that ill-fated Island to prevent insurrection, can be reduced—not one single shilling will be saved to the revenue of the immense sums paid to maintain there a military force—a great

part of which, if this odious Bill should by a miracle be rejected, would henceforth be uncalled for. Irish Members of Aristocratic families—almost altogether Protestant, will, as heretofore, secure of a preponderating influence in Elections, job on for themselves, their families and their supporters—and *with* a *pretence* of *great liberality*, more mischief than good will have been conferred!! As to our *English* Catholics, the Emancipation will be complete—but here again "Divide et Impera" has been the rule of action: here another limb of Catholic power is expected to be lopped off and prevented from rising in defence of poor Ireland, and with some very few exceptions, doubtless the Ministerial expectations on this head will be fully realized. But what crime, I ask, have these Forty Shilling Freeholders committed, that they are to be thus unceremoniously deprived of their existing Rights? Have they shewn themselves less virtuous, less independent than Lord Lonsdale's Forty Shilling Voters in Westmoreland? Have they either in Louth or in Clare disgraced themselves by rioting, drunkenness, or any of the excesses that prevail in England on such occasions? It is matter of notoriety that the contrary is the fact. Why then, I ask, are they to be disfranchised? Oh! we are told, "because they are under the spiritual influence of "their Priests!"—the plain English of which is—because they voted against their Landlords who gave them these Freeholds for their own selfish ends. And for this (in existing circumstances) act of public virtue, which they performed at great risk and danger to themselves—yes! for having in Louth rejected the Nominee of Lord Roden, and inflicted the torture of uncertainty and agony upon Mr. Leslie Foster, and for having there and in Clare elected men animated by a love and possessing the confidence of their country—for this sin—and this alone, are these poor but honest men to be made the victims of Aristocratic and Ministerial vengeance! and for what object?—that the old system of government may not be impeded—and that the

Irish Oligarchy may be firmly replaced upon the insulting height on which it is now tottering, and from which without this change, the next general Election would as inevitably as deservedly throw it headlong.—And then forsooth we are told, that the alteration is for the good of the country, and that the very men whom it is proposed to disfranchise, will be great gainers by the change: *if* this is so evident, why not ask them voluntarily to resign their elective Rights?—The cleverest of the Sunday Newspapers strangely enough falls into theviews of Ministers on this point. "The Forty Shilling Freeholds," observes the Examiner, which I have just received, "have the effect of increasing the amount of pauperism by dividing the land into small parcels, inadequate to the support of families, though quite sufficient to encourage the begetting of them." *If* the Freeholders and their families were to vanish with the passing of the Bill—if also, henceforth, the population of Ireland could be disposed of *without* the minute division of land which exists in that Country—doubtless a great benefit, as to the amount of pauperism would be attained—but whatever may be the means of providing for them—for which indeed providence is chiefly trusted to—the Examiner may rest assured that whether the Freeholds exist or no, the begetting and bringing forth of children is so firmly established in Ireland, that all the legislative enactments in the world will never check or put a stop to it, and therefore the projected act of injustice can scarcely be defended upon this pretence.

But we are told the change is calculated for the good of the people of Ireland! If by *the people of Ireland* is meant the *Aristocracy* of that country, and the five or six millions of other inhabitants are to be counted as so many cyphers, then, my Lord, I admit, that the measure (whether it be produced in two Bills or in one) *is* calculated to give satisfaction: but if the great mass of the population is to be considered by that term, *I positively deny it.* Your Lordship,

will, I well know, join with me in opinion that "property," or the *Aristocracy* is quite sufficiently and securely represented in the House of Peers, and that in the People's House the *People* ought to be (not as is affectedly said *they are* "virtually," but) *really* and *truly* represented. Some well meaning individuals maintain that forty shillings is too low a standard for representation, and that it ought to be raised to the value of what forty shillings were, *when* that qualification was first fixed. These persons however forget past history, and above all an important part of the great Charter and Bill of Rights which declare, that no man shall be taxed without his consent given by himself or his Representative in Parliament: they forget, that formerly Taxation had much narrower limits than in the present day,—that the clergy of those times built and repaired the Churches, kept the poor, and instead of being a heavy burden, (and in Ireland to those who want them not) furnished along with the Barons and the different Corporations, the main resources of the state—they forget that in those days the lower *orders were not taxed*, and consequently had not so much reason to be represented in Parliament, though if we go back to the days of our Saxon ancestors, there can be no doubt that universal suffrage prevailed amongst them. But Mr. Peel has discovered that the Electors in Ireland are unnecessarily numerous! Are they more so than contribute to *direct* or *indirect Taxation?* Are they in war too numerous to be balloted for our armies, or pressed into our fleets? If they do good service to the state, if out of their miserable means they are made to contribute to the revenue of the country, they are under the great Charter entitled to the votes which they possess,—and a better reason, than the inconvenience they occasion to Mr. Leslie Foster, Mr. Fortescue, or Mr. Vesey Fitzgerald must be shewn, before they can with any shew of justice be deprived of their elective rights. As to the alleged influence of the Priesthood, why are not *Catholic* Priests to shew and exert themselves at Elections?

It is matter of notoriety that our Protestant Clergy do not scruple to use every kind of influence on such occasions! Surely your Lordship and Mr. Marshall may still have a faint remembrance, to say nothing of the conduct of the wearers, of the black coats and shovel hats, that at the last Election for this county were drawn up on the hustings in such formidable array against you. Why are our own Clergy to be allowed to join with hired mobs in drowning argument and truth in vulgar clamour, and the Catholic Priesthood condemned for heading *their flocks* who assemble in a regular and peaceable manner to return to Parliament the friends of Freedom and the People? The truth, my Lord, is evident enough. Your own good sense has already enabled you to overcome the prejudices of birth and education and to perceive it. Yes! my Lord, the cause is to be found in the Aristocratic tendency of our Government, and in the fears, scarcely defined indeed, but intense which pervade a Boroughmongering Oligarchy. Every thing, strictly popular, must be smothered; every thing must give way to the preserving intact the overwhelming interest of a certain number of powerful families, and the consequent quartering of their sons, brothers and cousins upon the public; every nerve must be strained, even under an hypocritical pretence of Liberalism, *to keep things as they are,* and despite the poverty, the misery and just claims of millions of men, their sufferings and their rights are not for a moment to be thought of, *if* paying the slightest attention to them, *may* by possibility endanger the arrogant pretensions of the Oligarchy, who lord it over both the People and the Crown. In the comparison Mr. Peel made between the numbers that vote in Ireland and in England he might have introduced the County of Somerset. He must have been aware that to the present limited qualification of Electors is to be attributed the exclusion of Mr. Hunt, and the inestimable advantage the Senate derives from the wisdom of Sir T. Lethbridge; whilst had the Electors been *more* numerous—had they

consisted of as many voters as there are men of adult age who pay taxes in that County—the *voice of the People* would have condemned the Honorable Secretary's favourite Candidate to pretty much the same plight, in which he found himself the other day at Oxford ! The Electors in Ireland are *not* too numerous—but in England they are not numerous enough to attain a *popular* Representation—though under the present vicious mode of Election, infinite confusion arises even where the numbers are the smallest. In the state of New York nearly 200,000 voters poll without difficulty or danger or expence to the Candidates. But my Lord, leaving the injustice of the projected measure of disfranchising these poor and innocent freeholders—which is evident enough—let us proceed to examine if Parliament really have the *power constitutionally* to do so. Mr. Peel indeed admits that it has not that power—but he brings forward the repeal of the Septennial Act as an argument *in favour* of an additional encroachment on the rights of the people; which is pretty much as if a felon who had undeservedly escaped hanging for committing *one murder*, should adduce that fact as an excuse for perpetrating another. But admitting this logic, what have the *People gained* since the ~~repeal~~ of the Septennial Act ? Ruinous, liberticide wars—the loss of America—a frightful pauperism—intolerable taxation, and an augmentation of six hundred millions of debt. Surely a delightful recommendation for allowing further attacks upon their remaining rights. But then, my Lord, what have *the Aristocracy* gained in the mean time ? the securing to themselves the loaves and fishes of the state —and the actual power of setting at defiance the will both of Prince and People : and I do not deny that the projected measures may tend for a time at least to consolidate and even extend this power. If indeed acts of bribery, perjury, or even actual rioting had been brought home against the majority of these freeholders—I readily admit a question might arise whether they might not and ought not in future

to be prohibited from exercising a right they had abused to the injury of the community at large, (and even *this* principle if extended impartially in *other quarters* might produce most extraordinary results) but, until some such case is made out, I affirm that Parliament in proceeding to disfranchise them, is assuming a most unwarrantable, a most dangerous and a most unconstitutional power, and establishing a *principle* completely fatal to the liberties of the people! for *if* the Right *of disfranchising any one who is guilty of* no crime be once admitted, there is an end to all security of Representation!! If innocent Forty Shilling Freeholders are to be arbitrarily deprived of *their* Rights, because Aristocrats and their nominees (and also their Landlords, *if* they choose to *set themselves* against the *general good*) feel the inconvenience and the difficulty of commanding Elections, what safety, I ask, if this monstrous principle is once admitted, can possibly remain, that the same arbitrary dealing *will not in time be extended to every one?* I grant that it would have been both advisable and praiseworthy to prevent the future creation of *fictitious* freeholds both in Ireland and England—but most unquestionably no right can be vested in Parliament, (containing as it does many men who owe their seats to this very body whom they are proceeding to annihilate) to disturb existing voters against whom not a shadow of crime has been adduced. It is precisely the case of a nobleman's steward disposing of his lord's estate for his own profligate and selfish ends. Representatives of the people are sent to Parliament expressly to speak the language and to *protect* the Rights *of the people*—this is the only conduct they can *lawfully* either individually or collectively pursue—acting in a contrary manner, they betray the greatest of all trusts and deserve the fate of the worst of traitors. Partial good is not to be purchased with general injustice—what is morally wrong can never be politically right—and if the measures of emancipation and of disfranchisement are, (AS SEEMS

TOO CERTAIN) to go hand in hand, and the many *must* be sacrificed—as the price of advantage to the few—if taking the *two measures as a whole*, the evil is so dreadfully to preponderate over the good—I do trust that your Lordship and the friends of the people will join (what an union !) Lord Eldon and his party—or even Satan himself, in keeping things upon *their present basis*—and in *that case*, the *next General Election* in Ireland will put it out of the power of any future Ministry to resist a *real* improvement in *that* Country, and will compel (and here is the sore) a FULL though tardy justice. All that can be attained by this breaking down of the popular part of the Constitution—can only be *a division* among our Catholic brethren. The English part of them will be fully satisfied. A *small portion* of the Irish will also undoubtedly benefit—but in a great measure at the expense of their poorer neighbours. The bond of union will no longer exist—jealousy and suspicion will creep in, and the old scenes of discontent, riot, rapine and murder will go on until *this* Country is involved in foreign war—and then—what shall we then see ? whilst we are watching one hundred and fifty or two hundred thousand French at Boulogne, Calais and Dunkirk—we shall probably some fine morning hear that the Irish Aristocracy are thrown into the sea, and that the brave and warm-hearted men, the sons of those who have fought our battles—and who, with good treatment would ever do so, are up in arms to break off all connection with ungrateful England—"Erin go bragh" and the green banner will float upon the air from the Giant's Causeway to the Cove of Cork—and hordes of ardent and exulting Irish will enjoy in anticipation and perhaps in reality the rich plunder of Bristol, Liverpool, Manchester and Glasgow ! In such a crisis will such men as Mr. Peel and his Oligarchs be able to save the Country ?—Common Justice may now avert such a calamity—nothing else can. It is however, my Lord, vain to pretend, that a measure of *Emancipation alone*, even if loyally and frankly conceded,

would *in itself* be sufficient to tranquillize and conciliate Ireland.—It would go far to prepare the way for this great good—but in itself it would not effect it—the evil lies deeper and requires more powerful remedies. The word "*established*" *sounds like permanence* and *security*—but every thing hitherto "established" has somehow or other *in time* given way, and the more especially, when what is termed "established" is contrary to the feelings and interests of the great mass of the people among whom it professes to be "established." Thus, my Lord, must it be with the "established" Church in *many* parts of Ireland, before *tranquillity* can be really established in that Country. No one can pretend that the Protestant Religion was ever *established* as the Religion of the Country, in Connaught, in Munster, and in many parts of Leinster. An edict of Parliament, the mandate of a tyrant King, and the sword of Cromwell may indeed as far as words go have implanted it into those districts—and that occasionally one finds a sprinkling of Protestants I am far from wishing to deny,—but the mass of the population *is* and *ever has been* decidedly Catholic; and however, my Lord, we may turn and sift the matter, however Acts of Parliament may be multiplied, the disease will never be removed, and Ireland restored to a healthy political state, until *the causes* of her malady are effectually eradicated. Revise the laws of Landlord and Tenant so as to secure the Cotter from the gross injustice to which he is too frequently exposed. Purchase, if it must be so, of the present holders their interest in the tithes and church lands of at least the Catholic districts to which I have alluded. Abolish, or sequester them for the benefit of the poor—and cease to talk of the *Protestant*, being the "Established" Religion of Ireland! We may depend upon it that "Religion," and "State" too will both thrive the better for being divorced—and that jealousies and bickerings on the score of faith will be at an end. Let the *Catholic* population be emancipated from their "Protestant pastor" whose

most important employment is annually to shear his flock—cease to bribe men by benefices, to hold one *particular* creed in preference to another—leave this affair to be settled silently between the creature and his Creator without any regard to providing for the sons and families of the Aristocracy; and then—and not till then—Ireland becomes a tower of strength and pride to the Empire and is yours for ever.

I have the Honor to be,

My Lord,

Your Lordship's most obedient humble Servant,

J. WOOD.

SANDAL, March 9th, 1829.

RICHARD NICHOLS, TYPOGRAPHER, WAKEFIELD.